

## **Historic Resources Commission Meeting Minutes of August 8, 2007**

**Members Present:** Alice Keller, Alice Coppedge, Amanda Starcher, Jay Winer, Marsha Shortell, Rob Moody, Jack Bebbber, Todd Williams, Diane Duermit, Suzanne Jones, John Cram

**Members Absent:** Lupe Perez, John Kisner, Michael Robinson

**Staff:** Stacy Merten, Curt Euler, Nathan Pennington, Jennifer Blevins

**Public:** Thomas Gandolfo, Michele Ranieri, David Jones, Kathryn Cogan, Laurie August, Bill Rundell, Bryan Moffitt, Margaret Averyt, Odessa Baker, Marie Morris, John Carroll, Scott Riviere

**Call to Order:** Chair Shortell called the meeting to order at 4:00 p.m. with a quorum present.

**Adoption of Minutes:** Commissioner Winer made a motion to adopt the July, 2007 minutes as written.  
Second by: Commissioner Moody  
Vote for: All

### **Public Hearings:**

	<b>Agenda Item</b>
<b>Owner/Applicant :</b>	Brownie Newman/David Hill
<b>Subject Property:</b>	285 Montford Ave.
<b>Hearing Date:</b>	August 8, 2007
<b>Historic District:</b>	Montford
<b>PIN:</b>	9649.13-03-2947
<b>Zoning District:</b>	RM-8
<b>Other Permits:</b>	Building & Zoning

Ms. Merten told the Commissioners that the applicant requested a continuance.  
Commissioner Williams made a motion to continue the hearing until the September 12, 2007 meeting.  
Second by: Commissioner Bebbber  
Vote for: All

**Agenda Item**

**Owner/Applicant :** Historic Biltmore Village, LLC/Hill Partners  
**Subject Property:** 2 Swan Street  
**Hearing Date:** August 8, 2007  
**Historic District:** Biltmore Village  
**PIN:** 9647.07-69-9908  
**Zoning District:** CB-2  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report.
<b>Applicant(s) or Applicant Representative(s)</b>	Bryan Moffitt, project architect, explained that during the TRC review, city staff noted the requirement that the existing dumpster be removed from the city right-of-way.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>
None	

**Commission Comments/Discussion**

There was discussion about the request for alternative landscaping. Mr. Moffitt agreed to plant a linden tree in the previous dumpster location per the Biltmore Village planting plan. The Commissioners agreed that it would be reasonable to grant flexible development for the parking and landscaping. Commissioner Cram asked Mr. Moffitt to plant another tree in the proposed seating area. Mr. Moffitt stated he would do so if the tenant did not need the outdoor seating. After further discussion, a majority of the Commissioners agreed that planting a second tree should not be a condition of the Certificate of Appropriateness.

**Commission Action**

**MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – flexible development application; Exhibit B – dumpster fence detail; Exhibit C – site/landscape plan; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of July, 2007, and that each owner of real property situated within the Biltmore Village Historic District and all others within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of July, 2007 as indicated by Exhibits D and E.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is for revisions to the site plan to allow the dumpster to be relocated and landscaped per the attached plans. Flexible development is approved to reduce the number of required parking spaces from 8 to 7 to allow the relocation of the dumpster and to provide for an

alternative landscape plan as shown on the amended site plan, due to limited space. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the Guidelines for Site Design found in Book 1, Chapter 5, pages 23-26 of the *Biltmore Village Historic District Design Guidelines* were used to evaluate this request.

5. This application **does** meet the design guidelines for the following reasons:

1. The site improvements will help to blend the structure with the district.
2. All available land area will have landscaping.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Biltmore Village Historic District.

Motion by: Commissioner Winer

Second by: Commissioner Duermit

Vote for: Commissioners Winer, Duermit, Keller, Starcher, Moody, Bebbber, Williams, Jones, Cram and Chair Shortell

Vote against: Commissioner Coppedge

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued with the following conditions:**

**1. A revised site plan showing the linden tree on the south side of the drive entrance will be submitted to staff for review.**

Motion by: Commissioner Winer

Second by: Commissioner Williams

Vote for: Commissioners Winer, Duermit, Keller, Starcher, Moody, Bebbber, Williams, Jones, Cram and Chair Shortell

Vote against: Commissioner Coppedge

#### **Agenda Item**

**Owner/Applicant:** Joe Tanneberger (Historic Biltmore Village LLC)/Thomas Thuman/Williams-Sonoma  
**Subject Property:** 5 Brook Street  
**Hearing Date:** August 8, 2007  
**Historic District:** Biltmore Village  
**PIN's:** 9648.19-70-0055, 0106, 1010, 60-9151, 9647.07-79-1994, 2888  
**Zoning:** CB-II  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report. She noted numerous concerns about the proposed signage and changes to the color and building materials. She told the Commissioners that the zoning ordinance would only allow for the one large sign above
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	the door and that any additional signage would require the HRC to approve flexible development.
<b>Applicant(s) or Applicant Representative(s)</b>	Kathryn Cogan, of McCall Design Group, passed out copies of awning and lighting details and photographs of other Williams-Sonoma storefronts. She described each aspect of the proposed signage package and pointed out photographs of existing stores in other historic districts.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>

#### **Commission Comments/Discussion**

The Commissioners asked Ms. Merten to clarify how much signage the guidelines permit. She said a flush mounted sign could be no more than 30 square feet and that only one window sign is allowed per building face. Then she read from the guidelines for signage “the HRC has the authority to grant variances to these guidelines if special circumstances warrant them.”

Commissioner Winer said the window signs were small and tasteful and should both be allowed because the business would have two storefronts. Commissioner Cram was concerned about the awning signs and pointed out that this is only the first of five tenants. He said that it would be too much if each tenant had signs on the awnings and several other Commissioners agreed. Ms. Cogan then stated that they would use the blade style awning with no apron. There was discussion about the side display window and it was agreed that the lettering on the window was part of the product display and was appropriate, but that the sign above the window should not be allowed. The Commissioners also agreed that the menu boards were inappropriate.

The Commissioners discussed the proposed color and material change. Ms. Merten read from the guidelines “use building materials that are similar to those used historically for all major surfaces.” The Commissioners agreed that the proposed color could be allowed because it was one of the body colors in the Biltmore Village color palette, but that the limestone would not be appropriate. Chair Shortell listed the items on the application one at a time, and asked for a show of hands of Commissioners who would be inclined to approve each one. Mr. Euler then listed the changes the Commission wished to see to the application as submitted: the use of blade awnings with no signage, deletion of the menu signs, deletion of the sign above side window and deletion of the limestone base. Chair Shortell asked Ms. Cogan if she was comfortable with the changes and Ms. Cogan agreed and asked to amend her application to reflect the changes.

#### **Commission Action**

##### **MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – new construction checklist; Exhibit C – 3 sheets elevations; Exhibit D – 2 sheets storefront details; Exhibit E – site plan; Exhibit F – floor plan; Exhibit G – 2 sheets streetscape; Exhibit H – material and signage details; Exhibit I - Biltmore Village color palette; Exhibit J – photographs dated 8/8/07; Exhibit K – awning and lighting details A-060.1 dated 8/8/07; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of July, 2007, and that each owner of real property situated within the Biltmore Village Historic District and all others within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of July, 2007 as indicated by Exhibits L and M
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to install green blade awnings, install sign not to exceed 30 square feet, constructed of MDO and gold colored metal lettering with goose neck light fixtures, window signs and product display window and revise building façade per approved drawings. Building body color will match SW 1029 from approved color palette for Biltmore Village.
4. That the *Biltmore Village Historic District Design Guidelines* Books 1, & 3 and the *Biltmore Village Development Plan* were used to evaluate this request including, Signs in Book 1 *General Design Guidelines & Policies*, pages 5-42, Color found in Book 1 *General Design Guidelines & Policies*, Chapter 7 pages 43-44, Illumination found in Book 1 *General Design Guidelines & Policies*, Chapter 8 pages 45-46, New Construction in Contemporary Styles found in Book 3 *Design Guidelines for New Construction & Additions* Chapter 4, pages 13-15 of the Biltmore Village Historic District Design Guidelines adopted October, 1988.
5. This application **does** meet the design guidelines for the following reasons:

1. The signage is appropriate because of the pedestrian orientation of the building and the symmetry of the double storefront.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Biltmore Village Historic District.

Motion by: Commissioner Duermit  
Second by: Commissioner Williams  
Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued with the following conditions:**

- 1. Revised drawings will be submitted to staff for review.**

Motion by: Commissioner Duermit  
Second by: Commissioner Williams  
Vote for: All

#### Agenda Item

**Owner/Applicant :** Crescent Investors  
**Subject Property:** 8 Village Lane  
**Hearing Date:** August 8, 2007

HRC Minutes  
August 8, 2007

**Historic District:** Biltmore Village  
**PIN:** 9647.07-79-0116  
**Zoning District:** Institutional  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report. She explained that the fencing was installed without a Certificate of Appropriateness and that, as proposed, did not meet the guidelines.
<b>Applicant(s) or Applicant Representative(s)</b>	David Jones told the Commissioners that the fencing is needed for privacy, security and traffic control.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>
Thomas Gandolfo Odessa Baker John Carroll Michele Ranieri Scott Riviere Marie Morris	Mr. Gandolfo suggested removing the aluminum fence from the front of the property and using it to replace the chain link fence in the rear. He also expressed concern about security and traffic control. Ms. Baker read a letter from Robert Griffin opposing the fencing. Mr. Carroll stated that he feels the existing fencing should be approved. Ms. Ranieri said there is a need for a strong gate at the entrance. Mr. Riviere said there should be no fencing in front of the buildings and said the chain link fencing should not be visible. Ms. Morris said if the existing fencing is not approved, there should be fencing around the property in some form.

#### **Commission Comments/Discussion**

The Commissioners agreed that there could be some compromise reached so that at least some of the fencing might remain to meet the goals of the owners while also adhering to the design review guidelines. Chair Shortell asked Mr. Jones if he would like to meet with a design team and he agreed. He asked that his application be continued. Commissioners Starcher, Jones and Cram volunteered to serve on the design team.

#### **Commission Action**

Commissioner Moody made a motion to continue the hearing until the September 12, 2007 meeting.  
Second by: Commissioner Starcher  
Vote for: All

#### **Agenda Item**

**Owner/Applicant :** Bill Palas/Monarch Mortgage  
**Subject Property:** 35-B Montford Ave.  
**Hearing Date:** August 8, 2007  
**Historic District:** Montford  
**PIN:** 9649.17-11-8236  
**Zoning District:** CB-I  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report.
<b>Applicant(s) or Applicant Representative(s)</b>	Laurie August and Bill Rundell passed around sign materials and a color sample. They noted that the proposed sign for the side of the building would actually be 40" x 43".
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>
None	

#### **Commission Comments/Discussion**

The Commissioners discussed the Better Home and More section of the sign and agreed that it would look better if the colors were reversed and if the lettering thicknesses were more similar to the business logo. They also decided that the wood frame should be more discreet. The applicants agreed and said they would submit revised drawings to staff.

#### **Commission Action**

#### **MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – sign drawings; Exhibit B – 4 photographs; Exhibit C – material and color samples; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of July, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of July, 2007 as indicated by Exhibits D and E.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to install two signs over awning, each 20" x 55", aluminum with wood frame and new 40" x 43" aluminum sign on side of building per approved drawings. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Signs, found on pages 48-49 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
  1. The sign colors and materials are compatible with the structure.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Bebbber  
Second by: Commissioner Jones  
Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued ith the following conditions:**

**1. The applicant will submit revised drawings to staff for review.**

Motion by: Commissioner Bebbber  
Second by: Commissioner Jones  
Vote for: All

#### **Agenda Item**

**Owner/Applicant :** Margaret Averyt  
**Subject Property:** 35 Bearden Ave.  
**Hearing Date:** August 8, 2007  
**Historic District:** Montford  
**PIN:** 9649.17-11-8959  
**Zoning District:** RM-8  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report.
<b>Applicant(s) or Applicant Representative(s)</b>	Margaret Averyt stated that the shed would be painted the same color as the house. She asked if she could change the placement of the shed by a few feet if necessary.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>
None	

#### **Commission Comments/Discussion**

Commissioner Cram asked for the color of the roof shingles. Ms. Averyt said she would use red shingles to match the house roof if she could find them, but noted that she would ultimately replace the roof on the house and would use brown shingles instead of red. Ms. Merten suggested that she select a reddish brown color so that it would blend with the existing roof as well as the new roof. The Commissioners said she should submit a request to staff to amend the CA if it becomes necessary to adjust the placement of the shed.

#### **Commission Action**

#### **MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – 2 photographs; Exhibit C – property survey; Exhibit D – site



plan; Exhibit E – 3 sheets elevations; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of July, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of July, 2007 as indicated by Exhibits F and G.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to construct 8’ x 10’ utility/garden shed per attached drawings. Shed will have German siding, cedar shingles and asphalt-shingle roof in a dark color to blend with the roof of the house. Wooden salvaged windows and door per attached photographs. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Carriage Houses, Garages and Outbuildings found on pages 51-53 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:

1. The shed will be located behind the main structure
2. The shed will be in proportion to the main structure and compatible with other historic outbuildings in the district.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Williams

Second by: Commissioner Winer

Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued with the following conditions:**

- 1. Staff will approve the roof color and any change to the placement.**

Motion by: Commissioner Williams

Second by: Commissioner Winer

Vote for: All

**Agenda Item**

**Owner/Applicant :** Mark Houston/DP Construction & Development  
**Subject Property:** St. Dunstan's Circle  
**Hearing Date:** August 8, 2007  
**Historic District:** St. Dunstan's  
**PIN:** 9648.19-51-0306  
**Zoning District:** RS-8  
**Other Permits:** Building & Zoning

Ms. Merten told the Commissioners that the applicant requested a continuance.  
Commissioner Keller made a motion to continue the hearing until the September 12, 2007 meeting.  
Second by: Commissioner Winer  
Vote for: All

**Other Business:**

Ms. Merten showed slides of the subject properties. Scott Riviere and Commissioner Cram reported on the property committee visit to the Jackson Row buildings. Mr. Riviere said that the Jackson Building has much of its original features and ornamentation intact and noted that both the architect and builder are significant to Asheville. He also noted that the interior changes that have been made are reversible. He said there should be more information provided about the penthouse. Mr. Riviere said the Westall Building also has much of the original fabric intact. He said the owner had planned to replace some of the original windows with aluminum windows, but said that it was explained to him that the windows should be repaired instead. He said the Commerce Building is a building that could be found anywhere in the city and that it just doesn't stand out as a landmark building and others agreed. He said the Legal Building was designed by Richard Sharp Smith and that it was the first cast concrete building in Asheville and noted that it has significant local history connected with it. He suggested that the owner should be encouraged to include the interior of the floor with all of the original offices, doors and woodwork as part of the designation. The Commissioners decided that the Jackson, Westall and Legal buildings are all possible candidates for landmark status, but that the Commerce Building seems to have no special significance. Commissioner Starcher also noted that the addition on the Commerce building compromises its integrity. Commissioner Cram made a motion to encourage the owners to go forward with a full designation report for the Jackson, Westall and Legal buildings.  
Second by: Commissioner Winer  
Vote for: All

Chair Shortell adjourned the meeting at 7:15 p.m.